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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,756	02/06/2002	Tatsuaki Osafune	HITA.0157	4765

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EXAMINER

SCUDERI, PHILIP S

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 11/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/066,756

Applicant(s)

OSAFUNE ET AL.

Examiner

Philip S. Scuderi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 11-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 11-16 is/are rejected.
- 7) ☒ Claim(s) 2 and 12-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on October 18th, 2005 has been entered.

Claim Rejections - 35 USC § 112

2. The examiner has withdrawn the rejection under 35 USC § 112, first paragraph, because applicant's amendments have overcome the rejection. However, upon further consideration claim 1 has another 35 USC § 112, first paragraph problem.

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-5, 11, and 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

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5. Claim 1 recites “said network sending a first network address assigned to said user computer from said Internet service provider to said access server”. However, the address assigned by the Internet service provider (i.e., the public address) isn’t ever sent to the access server. The access server receives a private address assigned by the gateway (e.g., page 11 line 25 - page 12 line 3).

Response to Arguments

6. Applicant’s arguments, with respect to the rejection(s) of claims 6 and 12-14 under 35 USC § 103 have been fully considered and are persuasive. Accordingly, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made below.

Claim Objections

7. Claims 12-15 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

8. Claims 12-15 further limit the address translation apparatus of claim 6. However, the claims are not necessarily limited to the features to which the apparatus claimed in claim 6 is connected (e.g., a first router, an access server, etc.). Therefore, claims 12-15 fail the infringement test which determines whether a claim is properly dependent. See MPEP § 608.01(n).

9. Claims 2-5 and 16 do not have similar dependency problems because the elements recited in the preamble of claim 1 are referred to in the body of claim 1.

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10. Claim 2 is objected to because of the following informality: “a step of said network said user ID ...”. The examiner suggests, “a step of storing said network ~~said~~ user ID” or “a step of assigning said network ~~said~~ user ID”. Appropriate correction is required.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 6 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereinafter “AAPA”) in view of Zhang et al. (US 6,490,289, hereinafter “Zhang”), and further in view of Azuma (US 6,938,158).

13. Regarding claim 6, AAPA teaches a local IP network connected to an access server, which is connected to plural user computers, and to a network, which is connected to plural Internet service providers (see figure 1), wherein users supply a username and password to be authenticated on the network (e.g., page 3 lines 3-8). AAPA does not expressly teach that the local IP network is connected to the access server and to the ISPs via respective routers. AAPA is silent with respect to the exact details of the local IP network. The examiner takes official notice that routers were standard components of nearly any IP network. Therefore, it would have been obvious to connect the local IP network to the access server and to the ISPs via routers.

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14. Zhang teaches an ISP comprising an address translation apparatus (figure 5 #154), which connects to plural provider networks (figure 5 #158 and #162), comprising:

a part which sends an assigned private network address assigned to the user (a virtual network address, column 5 lines 56-61) using a point-to-point protocol (column 5 lines 15-21);

a translating part which translates the private network address into a public IP network address assigned to a user computer by one of the service providers (column 6 lines 20-28); and

an output part which outputs said public IP network address to said network (column 6 lines 20-28).

15. The ISP (154) taught by Zhang is similar to the local IP network taught by AAPA. For example, they both enable a user connected via a PPP connection to access different service providers.

16. Given this information, it would have been obvious to provide the local IP network taught by AAPA and discussed above with the network address translation apparatus taught by Zhang, thereby enabling users to connect to multiple service providers simultaneously using a single PPP link (Zhang, column 2 lines 51-57).

17. Zhang does not teach that the address translation apparatus uses user credentials corresponding to the PPP connection to the ISP (154) to lookup a corresponding service provider user ID and password used to authenticate the user to the service providers. However, it was well known that service providers require a user ID and password in order to authenticate users and provide services (e.g., see AAPA, page 3 lines 4-14). Therefore, the user's credentials must come from somewhere. Zhang is silent with respect to where the user credentials are stored.

18. Azuma teaches a method for accessing a request web service comprising an intermediary between a user computer and a service provider that stores first user authentication information

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used to login to the intermediary and second user authentication information corresponding to the web service, and wherein upon authenticating the user using the first authentication information the intermediary retrieves the corresponding authentication information to authenticate the user with the web service (column 3 line 46 - column 4 line 35).

19. Given the teachings of Azuma, it would have been obvious to one of ordinary skill in the art to store the username and password used to login to the local network and the username and password used to login to the ISP at the address translation apparatus (an intermediary) and upon authenticating the user using to retrieve the corresponding authentication information to authenticate the user with the ISP, thereby significantly reducing the number of user authentication operations that the user needs to perform (Azuma, column 2 lines 53-55).

20. Regarding claim 12, AAPA-Zhang-Azuma teaches the address translation apparatus applied to claim 6, wherein said translating part holds said private network user ID (see the rejection of claim 6), and private network address, and said public network address (Zhang, column 6 lines 20-28).

21. Regarding claim 13, AAPA-Zhang-Azuma teaches the address translation apparatus applied to claim 6, wherein said private IP network address is used to access said one of the Internet service providers (Zhang, column 6 lines 20-28, and the explanation in the rejection of claim 6).

22. Regarding claim 14, AAPA-Zhang-Azuma teaches the address translation apparatus applied to claim 6. The instant teachings do not expressly teach accessing a server in the network. The examiner takes official notice that accessing a server through an ISP was well known in the art. It

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would have been obvious to one of ordinary skill in the art to access a web server on the Internet using the instant invention, thereby providing the user with access to any service available on the Internet (e.g., access to Google search).

23. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Zhang, further in view of Azuma, and further in view of Schulz (US 2002/0138737).

24. Regarding claim 15, AAPA-Zhang-Azuma teaches the address translation apparatus applied to claim 6, but does not teach that the ISP disconnects automatically after communication between the ISP and the user stops for a predetermined time period.

25. Schultz teaches an ISP that uses an idle timeout to disconnect a PPP session if a user has been disconnected for an amount of time equal to the timeout period (paragraph 0064-0065). Given the teachings of Schultz, it would have been obvious to one of ordinary skill in the art to have the ISP disconnect the user after a timeout period has passed, thereby enabling the ISP to provide access on a metered basis (Schultz, paragraph 0032).

Conclusion

26. If the enablement rejection of claims 1-5, 11, and 16 is overcome by changing the first network address in claim 1 line 12 to a second network address the claims may be unpatentable for reasons similar to those discussed above in regards to claims 6, 12-14, and 15.

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27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner can normally be reached on Monday-Friday 9:00 am - 5:30 pm.

29. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

30. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PSS



Dung C. Dinh
Primary Examiner